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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/093,271	06/08/1998	TOSHIYA FUJII	50L1801/897	7030

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EXAMINER
HUYNH, SON P

ART UNIT	PAPER NUMBER
2611	

DATE MAILED: 02/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/093,271	FUJII, TOSHIYA	
	Examiner	Art Unit	
	Son P Huynh	2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *03* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 June 2002* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-47* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *20,40 and 43-47* is/are allowed.

6)☒ Claim(s) *1-19,21-39,41 and 42* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *08 June 1998* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-47 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 42 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 42, line 4the phrase " said format manager" lacks antecedent basis.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-6, 21-26 and 42 are rejected under 35 U.S.C. 102(e) as being anticipated by Enomoto et al. (US 6,367,080).

Regarding 1, Enomoto et al. (hereinafter referred to as Enomoto) discloses an apparatus comprises channel selection CPU 20 for controlling the outputs on the CRT 17. The channel selection CPU 20 outputs a changeover signal of the mode for displaying the Internet screen in the entire display area, and the mode for displaying the television program and Internet screen simultaneously to the switching unites 14 and 23 (see col. 12, line 11- col. 13, line 63, figures 5-6). Enomoto further discloses the television program and Internet screen are separately simultaneously displayed (see figure 16B). Inherently, Enomoto teaches a system for selectively accessing video data and page data, comprising:

a format manager (Internet processing 22) for manipulating the video data and the page data; and

a processor (CPU 20), coupled to the format manager for controlling the format manager, whereby the video data and the page data are simultaneously shown on a display device (CRT 17), the video data being displayed within a video window.

Regarding claim 2, Enomoto teaches the page data is obtained from a distribution electronic network via line 24 and the video data is obtained from a video source via antenna 10a(see fig. 5).

Regarding claim 3, Enomoto teaches the distribution electronic network is an Internet network (see col. 12, lines11-22).

Regarding claim 4, Enomoto discloses the CRT 17 reads on the television set and the remained devices read on the set top box (see figure 5).

Regarding claim 5, Enomoto teaches the set top box includes the processor and the format manager (see figure 5).

Regarding claim 6, Enomoto teaches the set top box is controlled by a wireless remote control device 20a (see figures 4-5).

Regarding claims 21-26, the limitations of the method as claimed correspond to the limitations of the system as claimed in claims 1-6 and are analyzed as discussed with respect to the rejection of claims 1-6.

Regarding claim 42, Enomoto teaches a system for selectively accessing video data and page data, comprising: Internet processing unit 22 reads on means for

manipulating the video data and the page data, and CPU 20 reads on means for controlling means for manipulating, whereby the video data and the page data are simultaneously shown on a display device 17 (see figure 5).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claim 41 is rejected under 35 U.S.C. 103(a) as being unpatentable over Enomoto (US 6,367,080).

Regarding claim 41, the elements as claimed are directed toward embody the method elements of claim 21 in a "computer readable medium." It would have been obvious to one of ordinary skill in the art at the time the invention was made to embody the procedure of Kikinis as discussed with respect to the rejection of claim 21 in a "computer readable medium" in order that the instruction could be automatically performed by a processor.

8. Claims 7-18 and 27-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Enomoto (US 6,367,080) as applied to claim 1 above, and in view of Arora (US 5,845,299).

Regarding claims 7, Enomoto teaches a system as discussed in the rejection of claim 1. Enomoto further discloses a browser menu displaying buttons showing the icons such as "Return", "Advance", URL register", "Stop", "End", "Move down", "Move up" (see col. 18, lines 29-42). However, Enomoto does not specifically disclose the format manager copies the page data to create duplicate page data.

Arora discloses a web editor 120 in memory 104 comprising having an Copy function, a Cut function, a Paste function, a Duplicate Layout function, which duplicates a current page layout (and its associated draw object data structures) for a new page (see figure 11a or col. 9, lines 21-29). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Enomoto to incorporate the feature as taught by Arora in order to allow user editing the data page without giving any effect to the original page.

Regarding claim 8, Arora discloses inserting a video tag (image) into the page data (see figure 25).

Regarding claim 9, Arora discloses selectively positions the video tag (image) to vertically locate a video window on the display (see fig. 6)

Regarding claim 10, Arora discloses video tag includes window information for sizing and horizontally positioning the video window (see fig. 3 or col. 10, lines 13-30).

Regarding claim 11, Arora discloses the web editor reformats the page data to avoid video window (see col. 8, lines 29-52).

Regarding claim 12, Arora discloses processor 102 displays the page data on the display device 160 (see fig. 8).

Regarding claim 13, Arora discloses web editor maintains the video window (image) in a stationary position on the display (see 16, lines53-67).

Regarding claim 14, Arora discloses the video window is selectably positionable on the display (see fig. 11 c).

Regarding claim 15, Arora discloses the video window is selectably sizeable on the display (see col. 10, lines 12-13).

Regarding claim 16, Arora discloses the page data is scrollable with reference to video window on the display device (see col. 7, lines 41-53).

Regarding claim 17, Arora discloses the web editor computes a current reference position each time the page data is changed (see col. 7, lines 40-42).

Regarding claim 18, Arora discloses the web editor uses current reference position as a reference point for locating the video window (see col. 18, lines 47-56).

Regarding claims 27 - 38, the method elements being claimed correspond to system elements being claimed in claims 7 – 18 and are analyzed as discussed in the rejection of claims 7- 18.

9. Claims 19 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Enomoto (US 6,367,080) and in view of Arora (US 5,845,299) as applied to claim 17 above, and further in view of Bates (US 6,225,541).

Regarding claim 19, Enomoto in view of Arora teaches a system as discussed in the rejection of claim 17. However, neither Enomoto nor Arora discloses the current reference position is computed by combining a prior reference position and a scroll value.

Bates teaches the current reference position is computed by combining a prior reference position and a scroll value (see figure 6). Therefore, it would have been obvious to one of ordinary skill in the art to modify Enomoto and Arora by computing the new position base on the prior position as taught by Bates in order to quickly locate the position.

Regarding claim 39, the method elements being claimed correspond to the system elements being claimed in claim 19 and are analyzed as discussed in the rejection of claim 19.

Allowable Subject Matter

10. Claims 20, 40 and 43-47.

11. The following is a statement of reasons for the indication of allowable subject matter: The prior art of record fails to show or fairly suggest the scroll value is positive when the duplicate page data is scrolled down, and the scroll value is negative when the duplicate page data is scrolled upwards.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Tabata et al. (US 4,785,296) discloses a window for displaying position information.

Portuesi (US 5,774,666) teaches system and method for displaying uniform network resource locators embedded in time-based medium.

Harrison (US 5,694,163) teaches method and apparatus for viewing of on line information service chant data incorporate in a broadcast television program.

Linuma et al. (US 6,510,558) teaches discrimination of information access methods.

Hidary et al. (US 5,778,181) teaches enhanced video programming system and method for incorporating and displaying retrieved integrated Internet information segments.

Schindler (US 6,081,830) teaches automatic linking to program specific computer chat rooms.

Legall et al. (US 6,005,565) teaches integrated search of electronic program guide, Internet and other information resources.

13. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son P Huynh whose telephone number is 703-305-1889. The examiner can normally be reached on 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile can be reached on 703-305-4380. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the customer service office whose telephone number is 703-306-0377.

Son P. Huynh
February 12, 2003

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